

REMARKS

INTRODUCTION:

Claims 1-7 are pending and under consideration. Reconsideration is requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because:

(1) it is believed that the Terminal Disclaimer and Verified Translation should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and

(2) the Terminal Disclaimer and Verified Translation do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER THE JUDICIALLY-CREATED DOCTRINE OF OBVIOUSNESS-TYPE

DOUBLE PATENTING:

On pages 2-13 of the Office Action, the Examiner rejects claims 1-7 under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent Nos. 6,757,480, 6,721,493, and 6,674,957. In view of the enclosed Terminal Disclaimer, it is respectfully requested that the rejection be reconsidered and withdrawn.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at pages 13-16, the Examiner rejects claims 1 and 3-7 under 35 U.S.C. §102(e) in view of Kageyama et al. (U.S. Patent No. 6,594,442). This rejection is respectfully traversed and reconsideration is requested.

By way of review, the instant application claims priority to Korean Patent Application No. 98-23993, filed June 24, 1998 in the Korean Patent Office, and Korean Patent Application No. 98-41758, filed October 2, 1998 in the Korean Patent Office. Certified copies of Korean Patent Application Nos. 98-23993 and 98-41758 were filed in the United States Patent and Trademark Office in the parent application, as acknowledged by the Examiner on page 1 of the Office Action. Further, enclosed is an English translation of Korean Patent Application No. 98-41758, along with a corresponding statement from the translator in compliance with 37 CFR 1.55(a)(4). As such, it is respectfully submitted that the applicants have established a date of invention of at least October 2, 1998. MPEP 201.15. Since Kageyama et al. has a U.S. filing date of June 15, 1999, it is respectfully submitted that Kageyama et al. is not available as prior art under 35 U.S.C. §102(e) since Kageyama et al. was not filed in the United States prior to the applicants' invention. MPEP 706.02(b). Since Kageyama et al. does not appear to otherwise qualify as prior art, it is respectfully requested that the Examiner withdraw the rejection of claims 1 and 3-7 in view of Kageyama et al.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action at pages 17-18, the Examiner rejects claim 2 under 35 U.S.C. §103 in view of Kageyama et al. The rejection is respectfully traversed and reconsideration is requested.

As noted above in relation to the rejection of claims 1 and 3-7 under 35 U.S.C. §102(e), Kageyama et al. does not appear to qualify as prior art. Since the Examiner's statement

regarding design options is not otherwise relied upon to disclose claim 2, it is respectfully requested that the Examiner reconsider and withdraw the rejection of claim 2.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any additional fees associated with the filing of this Response, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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